

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MESSAN AMETITОВI,

Plaintiff,

v.

OMAHA AREA HEALTH  
EDUCATIONAL CENTER, INC. and  
DOES 1-10,

Defendants.

**8:19CV181**

**ORDER**

This matter is before the Court on the magistrate judge's<sup>1</sup> Findings and Recommendation (Filing No. 12) recommending the Court dismiss this case for failure of service of process under Federal Rule of Civil Procedure 4(m).

On August 13, 2019, the magistrate judge issued an Order to Show Cause (Filing No. 7) ordering plaintiff Messan Ametitovi ("Ametitovi") to show by August 27, 2019, why the Court should not dismiss this case for failure to serve named-defendant Omaha Area Health Educational Center, Inc. or for failure to prosecute. On August 26, 2019, Ametitovi filed numerous documents (Filing Nos. 8-10), none of which show service nor seek additional time for service.

Accordingly, on September 4, 2019, the magistrate judge entered his findings and recommendation, to which neither party has objected or otherwise responded. *See* 28 U.S.C. § 636(b)(1); NECivR 72.2. Failure to object eliminates not only the need for de novo review, but any review by the Court. *See Leonard v. Dorsey & Whitney LLP*, 553 F.3d 609 (8th Cir. 2009). Accordingly, the Court deems any objection to the magistrate

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<sup>1</sup>The Honorable Michael D. Nelson, United States Magistrate Judge for the District of Nebraska.

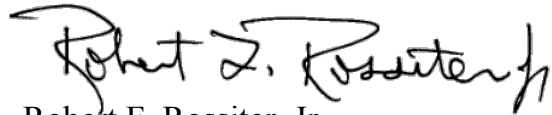
judge's findings and recommendation waived and accepts the findings and recommendation.

IT IS ORDERED:

1. The magistrate judge's Findings and Recommendation (Filing No. 12) are accepted.
2. This case is dismissed without prejudice.
3. A separate judgment will issue.

Dated this 23rd day of September 2019.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.  
United States District Judge